

PATENT

Serial No. 10/537,888

Amendment in Reply to Final Office Action mailed on October 17, 2006  
and the Advisory Action mailed on January 12, 2007

REMARKS

This Amendment is being filed in response to the Final Office Action mailed on October 17, 2006, and the Advisory Action mailed on January 12, 2007, which have been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the specification has been amended to correct certain informalities noted upon review.

By means of the present amendment, claims 1-4, 6-7 and 9-12 have been amended for better conformance to U.S. practice, such as beginning the dependent claims with 'The' instead of 'A', and changing "characterized in that" to --wherein--. Claims 1-4, 6-7 and 9-12 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claim 8 is rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the

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enablement requirement. Without agreeing with the Examiner, and to advance prosecution and expedite allowance of the present application, claim 8 has been canceled without prejudice. The cancellation of claim 8 renders moot this rejection with regard to claim 8. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Final Office Action, claims 1-7 and 9-12 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,723,786 (Klapman). It is respectfully submitted that claims 1-4, 6-7 and 9-20 are patentable over Klapman for at least the following reasons.

Klapman is directed to a boxing glove impact measuring system that includes a measuring device 14 shown in FIG 3. The measuring device 14 includes three accelerometers 18, 20, 22 that sense acceleration and provides sensing signals to a local processor 24. The local processor 24 is coupled to an RF transceiver 26 for wireless communication with a remote impact display unit 16. As recited on column 3, lines 58-62, the local processor 24 only

transmits (to the remote impact display unit 16 via the RF transceiver 26) data which has changed since the last reading.

It appears that the Klapman processor 24 is continuously on to read data (thus consuming battery power), and when a change in read data is detected, then the processor 24 transmits the data.

Transmitting only changed data to the remote impact display unit 16 reduces consumption of battery power.

It is respectfully submitted that Klapman is completely silent and does not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 6 which, amongst other patentable elements, requires (illustrative emphasis provided):

wherein the measurement unit is operable to operate the output channel discontinuously in time during output of each motion sensor output signal.

Klapman merely teaches to only transmit changed data wirelessly to a remote device, and is completely silent regarding discontinuous operation of sensors 18, 20, 22 to discontinuously provide the output of each motion sensor to the local processor 24.

Further, it is respectfully submitted that Klapman does not

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teach or suggest the present invention as recited in independent claim 9, and similarly recited in independent claims 16 and 18 which, amongst other patentable elements, requires (illustrative emphasis provided) :

wherein the processor is operable to sample  
the output channel of the measurement unit  
discontinuously in time.

Any teaching of discontinuous processor operation in Klapman is regarding data transmission to the remote impact display unit 16. Discontinuous process operation regarding sampling the output channel of the measurement unit is nowhere taught or suggested in Klapman.

Accordingly, it is respectfully submitted that independent claims 1, 6, 9, 16 and 18 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 7, 10-15, 17 and 19-20 should also be allowed at least based on their dependence from independent claims 1, 6, 9, 16 and 18.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

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foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
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**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101